

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

ADAM DONALD BENNETT

No. 4:19-mj-159

CRIMINAL COMPLAINT

I, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about May 10, 2018, the defendant, **Adam Donald Bennett**, in the Northern District of Texas, did knowingly use, persuade, and induce a minor under the age of eighteen to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, using materials that had been mailed, shipped, and transported in and affecting interstate commerce by any means, in violation of 18 U.S.C. § 2251(a).

I, Paul M. Callen, being duly sworn under oath, do hereby depose and state:

1. I am a Special Agent with the United States, Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) and have been so employed by HSI since May of 2007. I was previously employed as a U.S. Border Patrol Agent, United States Border Patrol, from July of 2003 until May of 2007. I am currently assigned to the HSI Dallas Office of the Special Agent in Charge, Cyber Crimes/Child Exploitation Group. As a result of my employment with HSI, my current duties include, but are not limited to, the investigation and enforcement of Titles 8, 18, 19, 21 and 31 of the United States Code (U.S.C.). I am an "investigative or law enforcement officer of the United States" within the meaning

defined in 18 U.S.C. § 2510(7), in that I am an agent of the United States authorized by law to conduct investigations of, and make arrests for, federal offenses.

2. I am currently assigned to the HSI Dallas Child Exploitation Group, which investigates criminal violations relating to child exploitation, child pornography, and other crimes involving the Internet. I have received training in the area of child exploitation, and have observed and reviewed numerous examples of child pornography, as defined in 18 U.S.C. § 2256, in all forms of media, including computer media. I have been involved in several child pornography investigations and am familiar with the tactics used by individuals who employ, use, persuade, and induce a minor under the age of eighteen to engage in sexually explicit conduct, for the purpose of producing a visual depiction of such conduct, using materials that had been mailed, shipped, and transported in and affecting interstate commerce.

3. This affidavit is made in support of a criminal complaint charging Adam Donald Bennett (hereafter, "BENNETT") with violating 18 U.S.C. § 2251(a), sexual exploitation of children a/k/a production of child pornography. The information set forth in this affidavit comes from my training and experience, and information provided to me by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that on or about May 10, 2018, in the Northern District of Texas, BENNETT knowingly produced child pornography using

materials that had been mailed, shipped, and transported in and affecting interstate commerce, in violation of 18 U.S.C. § 2251(a).

FACTS IN SUPPORT OF PROBABLE CAUSE

4. On or about June 28, 2018, HSI Cyber Crimes Center (C3), Child Exploitation Investigations Unit received a referral from the Queensland Police Service¹ Taskforce Argos (QPS) regarding a possible child pornography offender in Denton County, Texas. QPS investigators indicated that beginning on or about May 4, 2018, an individual utilizing email address onetimeuse pussy@yandex.com² contacted a QPS undercover officer's email account. Per the email exchanges, the user of onetimeuse pussy@yandex.com sent hyperlinks in the email messages that led to images and videos depicting suspected child pornography. Furthermore, the content of these email messages contain dialogue in which the user of onetimeuse pussy@yandex.com discusses and explains how he has made recent attempts to sexually abuse minor females, as well as the successes of his past sexual abuse of minor females. QPS reviewed the images and videos and concluded that they constitute child pornography.

5. QPS issued legal process to obtain information about user onetimeuse pussy@yandex.com. On June 28, 2018, Yandex provided QPS with records identifying IP address 38.96.224.66 as being used to access the onetimeuse pussy@yandex.com account. QPS further determined that IP address

¹ Queensland Police Service is the principal law enforcement agency responsible for policing the Australian state of Queensland.

² Yandex is a technology and internet services provider and has available services including a free web-based email such as Outlook, Yahoo!, or Gmail.

38.96.224.66 was associated with Cogent Communications, a customer of Speed of Light Broadband, in Denton, Texas. With that information, QPS sent a referral to HSI's C3 Child Exploitation Investigations Unit.

6. Upon receipt of the referral from QPS, HSI's C3 Child Exploitation Investigations Unit submitted an administrative summons to Speed of Light Broadband, Inc., an internet service provider. In turn, Speed of Light Broadband, Inc, reported that, beginning on or about February 2015, the following subscriber initiated residential internet service with the static IP address 38.96.224.66 (associated with the Yandex email account involved in this offense):

Name: North Texas Shooters Association, Larry [REDACTED]
Phone: 940-391-[redacted]
IP Addresses: 38.96.224.66
Address: 10948 E. Rector Rd., Sanger, TX, 76266

Your affiant is aware that Sanger, Denton County, Texas, is located in the Eastern District of Texas.

7. HSI's C3 Child Exploitation Investigations Unit conducted an analysis of the filenames and metadata of the image and video files sent from user of onetimeusepussey@yandex.com and determined that the files sent to the QPS undercover officer's account were created on or about May 10-11, 2018. This analysis indicated that the image and video files sent from user of onetimeusepussey@yandex.com were taken on or about May 10, 2018 on a ZTE Z899VL mobile device. Additionally, HSI's C3 Child Exploitation Investigations Unit analyzed a sample of the email metadata on the files sent by onetimeusepussey@yandex.com. The following dates and times were included in this

analysis: Friday, May 4, 2018 at 00:34 GMT-0500³, Wednesday, June 6, 2018 at 23:59 GMT-0500, and Sunday, June 3, 2018 at 23:57 GMT-0500. The result of this analysis indicate that the user was logging into the Yandex account at or about 12 a.m. Central Standard Time (CST) on each of the above-listed dates.

8. On July 13, 2018, HSI's C3 Child Exploitation Investigations Unit contacted the HSI Dallas Child Exploitation Group and requested assistance with the investigation. Accordingly, beginning on or about July 16, 2018, your affiant reviewed the email messages between the user of onetimeusepussy@yandex.com and the QPS undercover officer, as well as the videos and image files sent by onetimeusepussy@yandex.com, and other evidence gathered in connection with this investigation.

9. Further review of the email messages sent between user onetimeusepussy@yandex.com and the QPS undercover officer indicated that the user of onetimeusepussy@yandex.com was then sexually abusing children and producing images and videos of these acts. The following is an excerpt from an email message sent by the user onetimeusepussy@yandex.com on May 4, 2018 at 1:02 a.m. (CST):

"I've dated a few single moms as well, that's where i've had most of mine. building trust is a good way, i just try to make sure that they have very young ones, so i can train them and avoid them saying anything. you have any kids of your own? i had my own for a while, but they moved away with mom. my youngest was amazing, she did it all, and loved sucking and anal. never got in her pussy, but never cared either. tons of stories about her. older one wasn't into it much, but she liked to be

³ GMT-0500 is Central Standard Time (CST); the time zone in Texas. Accordingly, this time indicates that the user accessed the email account on these dates around 12 a.m. In the Yandex log, provided by the QPS, the time zone is GMT+3. This log indicates that the user is logging into the email account between the hours of 12 a.m. to 2 a.m. in Texas.

eaten, up til she was about 8.”

Based on my training and experience, your affiant believes that the user onetimeusepussy@yandex.com is explaining to the QPS undercover officer that he has sexually abused his daughters in the past and seeks to date women with children whom he might abuse.

10. The following is an additional excerpt from an email message sent by the user onetimeusepussy@yandex.com on May 13, 2018 at 2:39 a.m. (CST):

working on this one, been a few weeks in progress, her brother was in bed next to her so as to not wake her, i just did a bit of show and tell. hopefully have more to share soon, she is 5, but has a more grown pussy than most. nice lips and clit.
<https://yadi.sk/i/D0MrOfVt3VocUy>
<https://yadi.sk/i/xQrQjHYo3VocZQ>
anything you have to share?

Your affiant reviewed the 5 images and 2 video files of suspected child pornography.

The video files are described as follows:

File Name	File Description
vid_20180510_223625	This 43-second video depicts a sleeping, prepubescent female with her underwear pulled down and legs spread, lasciviously displaying her vagina. During the video an adult's hand spreads and probes her genitals.
vid_20180510_224056	This 33-second video depicts a sleeping, prepubescent female with her underwear pulled down and legs spread, lasciviously displaying her vagina. During the video an adult's hand spreads and probes her genitals.

Based upon my training and experience, these image and video files constitute child pornography, as defined in 18 U.S.C. § 2256.

11. After receiving this information, your affiant determined that BENNETT was living at the gun range in Sanger and had 2 vehicles registered in his name at that address. Your affiant conducted a criminal history check on BENNETT, which revealed that BENNETT was arrested in September 2012 for Aggravated Sexual Assault of a Child; Felony 1st Degree. BENNETT pled guilty to Indecency With a Child by Exposure; Felony 3rd Degree, was sentenced to 10 years' probation, and is compelled to register with the State of Texas as a sex offender. According to the Denton County Sheriff's Office, BENNETT's sex offender registration listed the gun range as his address.

12. Based on the foregoing, on July 27, 2018, your affiant applied for a search warrant for BENNETT's property. On that date, United States Magistrate Judge Kimberly C. Priest Johnson, Eastern District of Texas, issued a search warrant for the premises located at 10948 E. Rector Rd., Sanger, Texas 76266. During the search warrant several electronic devices were seized by HSI for forensic analysis; however, the ZTE mobile device, known to create the above-mentioned video and image files, was not found on the premises.

13. On February 7, 2019, your Affiant interviewed Aaron Babb, a friend of BENNETT, who said that he had provided a ZTE cell phone to BENNETT in April of 2017. BENNETT had returned the phone to Babb around mid-July 2018.

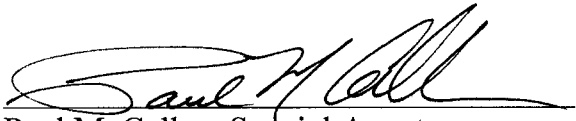
14. On February 7, 2019, your Affiant received a phone call from BENNETT's friend who stated that he had just learned that his minor daughter, MV1, had been sexually assaulted by BENNETT.

15. On February 11, 2019, your Affiant, along with Bridgeport Police, Bridgeport, Texas, went to Babb's home, which is located in Wise County in the Northern District of Texas, and observed unique bedding, as well as other items that were visible in the two video and image files referenced in paragraph 10 sent by onetimeusepussy@yandex.com. Furthermore, your Affiant received an audio recording from Babb that was created on August 1, 2018. Upon listening to the recording, your Affiant learned that BENNETT and Babb had met to discuss the status/whereabouts of the ZTE mobile device that BENNETT had returned to Babb in mid-July 2018. During the conversation, BENNETT insisted that the mobile device needed to be "dealt with" and "destroyed" because Homeland Security had indicated during the search warrant at his [BENNETT] residences that they were looking for a ZTE mobile device. The recording continues with BENNETT making numerous attempts to convince Babb that if the ZTE mobile device was no longer in existence then he [BENNETT] would not get in any trouble with "Homeland Security". BENNETT stated that if "they" [law enforcement] found out that he had had the ZTE mobile device – he [BENNETT] would "go to jail".

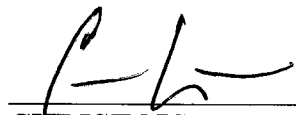
16. Based on my training, experience, and publicly available information, I am aware that ZTE mobile devices are manufactured and assembled outside of the State of Texas. Furthermore, the ZTE model Z899VL cell phone used by BENNETT to produce the above-described videos bears a label that reads "Made in China." Therefore, there is probable cause to believe that the ZTE cell phone itself traveled in interstate and foreign commerce.

CONCLUSION

17. Based on the facts and circumstances set forth in this affidavit, I respectfully submit that there is probable cause to believe that Adam Donald BENNETT in the Northern District of Texas did knowingly use, persuade, and induce a minor under the age of eighteen to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, using materials that had been mailed, shipped, and transported in and affecting interstate commerce by any means, in violation of 18 U.S.C. § 2251(a).


Paul M. Callen, Special Agent
Homeland Security Investigations

Subscribed and sworn to before me on February 12, 2019.


CHRISTOPHER WOLFE
DISTRICT JUDGE *215th District Court*
STATE OF TEXAS